

# 2009-2012 Local Program Guidelines

## STP-Urban, STP-Rural, and Local Bridge

July 16, 2007

### **Purpose and Description**

These Guidelines provide direction for project requests from the Regions for the 2009-2012 Local Programs submittal and approval cycle. These programs are the Surface Transportation Program (STP) Urban, STP-Rural and Local Bridge.

The Wisconsin Department of Transportation (WisDOT) typically operates under a three-year local improvement program cycle that recognizes the increasing complexity of local projects and a need to encourage greater program stability. The department assessed the current three-year program of projects to ensure it stays within appropriated federal and state funding levels. Due to numerous factors, including actual versus assumed funding levels from earlier cycles, cost increases to existing projects due to inflation, scope changes or significant increases in construction materials, and pending delivery of large urban projects approved in prior cycles, the schedule of currently approved STP-Urban projects for state fiscal years (SFYs) 2008, 2009, and 2010, is significantly higher than the funding levels provided by Congress and the Legislature can support.

This has resulted in the local federal aid program (subprograms 205 and 206) being overscheduled in SFYs 2008 and 2009. The spillover from 2008 and 2009 will result in 2010 also being full, leaving only 2011 for new projects. While overscheduling has occurred in the past fifteen years (since ISTEA), WisDOT has been able to manage the challenge internally, without impacting local units of government. However, it is no longer possible for the department to continue this practice.

WisDOT explored several alternatives and decided to add an additional funding year (2012) to the program. The additional year creates a four-year local program that provides the ability to add another year's worth of projects. This decision does not give local units of government more money, but it does make this funding available sooner, thus reducing the impact of the current schedule levels. This should also encourage program stability and get approved projects into the system in case additional federal funding should become available in future years. No advanced design will be available for this two-year period. The Bureau of Transit, Local Roads, Railroads, and Harbors (BTLR) will monitor projects in two-year increments, 2009-2010 and 2011-2012, and will continue to conduct a program cycle every odd year with the next being in calendar year 2009.

As the 2009-2012 program solicitation began in January of 2007, the last year of the previous program cycle, 2009, was "refreshed" and an additional three years of funding (2010, 2011, and 2012) were added to create the new program cycle. Refreshing 2009

means examining the level of projects already approved for that year, and then incorporating additional dollars in the event they become available.

We are currently operating under Wisconsin's biennial budget for 2005- 2007, and programming projects for SFYs 2009-2012. Estimated funding levels are based on reauthorization of the federal transportation budget for 2005 and beyond, and the 2007-2009 state biennial budget that is currently under consideration. For 2009-2012 program development, estimated funding in the Guidelines is based on the Chapter 20 funding levels for the 2007-2009 program cycle.

All projects in areas above 50,000 in population should be part of the Transportation Improvement Program (TIP) process, and must be contained in their TIP prior to project authorization. If not, an amendment to the TIP will be necessary.

## **Policy Changes**

There are several major policy changes for this program cycle:

1. Rural Minor Collector Eligibility - Since the 2001-2003 program cycle, Wisconsin has provided \$2 million annually in STP-Rural funds for improvements to federally eligible roads functionally classified as rural minor collectors. However, federal SAFTEA-LU legislation did not continue the special rule under Section 1108(f) of TEA-21 that permitted federal funding for rural minor collectors at state discretion. The special rule applied only to the STP funds made available under TEA-21 and the subsequent extensions of TEA-21. WisDOT will fund STP-Rural minor collector projects approved for FFY 2006, 2007, 2008 and 2009, but minor collectors will not be eligible for federal funding in the 2009-2012 program cycle.
2. Local STP and Bridge Funding on Connecting Highways – Local improvement projects on Connecting Highways are not eligible for STP-Urban, STP-Rural, and Local Bridge funds. Per Wisconsin Statutes, funds provided to local units of government are to be used for eligible projects on routes other than STH or Connecting Highway routes. Wis. Stat. 20.395(2)(fx); 20.395(2)(ev); 20.395(2); 84.18(2)(d).
3. State Municipal Agreements – The updates and documentation of the agreement templates and processes are not yet completed. When the updates are finished the documentation will be published in the Program Management Manual (PMM).

## **Process Changes**

1. Local Entitlement System (LES) – WisDOT's Local Entitlement System (LES) is a Web application for authorized BTLR and Regional staff to evaluate, approve, and manage projects and entitlement balances for the department's STP-Urban, STP-Rural, and Local Bridge Improvement Programs. With LES, Regional program staff can enter project requests into the system as they are received so BTLR local program staff can review and approve requests as appropriate. BTLR staff also

uses LES to make manual adjustments to entitlement balances, run drafts of the allocation of funds for each new program cycle, run drafts of the ranking and analysis of project requests and then finalize both actions after working with the Regional staff to adjust priorities and/or amounts.

2. Early Scoping on Local Projects - Management Consultants in each Region will be providing project early-scoping services to local units of government for the 2009-2012 program cycle. Early project scoping is not mandatory but is available upon request to assist in defining project scope, estimating costs, and planning a realistic project schedule. Local officials should contact their Regional Local Program Project Manager or Management Consultant to request assistance and coordinate field reviews for project application development.
3. Use of Federal and State Funds for Utility Relocation - The use of federal and state funds for utility relocation on local projects is *strongly discouraged* to maximize the funds available for construction, and because of the additional time needed to complete federal requirements for review of the relocation order. Utility relocation costs are an eligible cost for federal funding if the costs are compensable under State law. In Wisconsin, utility facility relocations are only compensable when the utility holds a valid land interest. That interest may be an easement, a prescriptive right under State Statute 893.28, or a Conveyance of Rights from a previous project. In order to reduce administrative costs, only large compensable utility relocation costs (over \$100,000) will be eligible for state and federal funding beginning with the 2009-2012 program cycle. Smaller compensable utility relocations will continue to be funded entirely by local units of government.
4. Implementation of Load and Resistance Factor Design (LRFD) - WisDOT is implementing a new bridge design specification for all bridges designed and maintained in Wisconsin. This new bridge design specification is known as Load and Resistance Factor Design (LRFD). Some of the benefits of LRFD are that it provides a greater uniformity of safety, rewards certain structural features (such as redundancy and ductility), and includes a more refined representation of live load (vehicular traffic). The Federal Highway Administration (FHWA) requires that all states achieve full implementation of LRFD by October 2007, for all bridges in order to receive federal funds.

In light of this FHWA requirement, the Bureau of Structures (BOS) is moving forward to update WisDOT's Bridge Manual and provide WisDOT bridge engineers with the necessary LRFD training and software tools. Likewise, consulting engineers will be required to provide LRFD designs for all Wisconsin bridges. In order to minimize the impacts on consultants and local owners, BOS is providing a new Bridge Manual, access to Wisconsin based LRFD training, and potential web access for local owners to BOS rating software. Consultant attendance at LRFD training sessions is highly recommended and WisDOT will keep an attendance roster.

Consultants submitting bridge designs to WisDOT will also need to provide a cover sheet or electronic spreadsheet showing predetermined LRFD variables that will allow quality assurance for LRFD compliance of the submitted bridge. This information will be available on the WisDOT Internet site below for use in submitting LRFD Designs:

<http://www.dot.wisconsin.gov/business/engrserv/structures/index.htm>

## **General Instructions**

1. In general, Regions should not allow local communities to request design and construction for the same project in the same program cycle. Exceptions will exist, for example, resurfacing and small bridge projects, which can typically be designed and built within a two to three year period.
2. Because a new program is being developed, project substitutions will not be accepted between January 5, 2007, and October 8, 2007.
3. All projects must have a signed, accepted State/Municipal Agreement in place before any funds can be obligated. BTLR accepts and approves all such agreements for the department.
4. WisDOT's PMM will be a major source for implementation and policies for the 2009-2012 program.

## **Program Overview**

### **Local Bridge**

Estimated new funds available for the Local Bridge Program through 2012 are \$66,250,196. Local bridge projects are funded 80 percent federal or state, and 20 percent local. Wisconsin uses an "entitlement" formula to distribute Local Bridge funding. That formula uses Statewide Bridge Replacement Cost as a basis for distribution of funds. Each county gets a proportional share of the total allocation based on the cost of replacing those bridges with a sufficiency rating (SR) of less than 50. While the cost is based on replacement, the sufficiency rating determines whether the bridge is eligible for replacement or rehabilitation.

County highway commissioners will continue to establish bridge priorities within their county per TRANS 213. We will continue to use the statewide formula ranking process for all local bridge projects to complete the statewide analysis described in the PMM, Chapter Two, to determine the approved 2009-2012 Local Bridge Program. To be eligible for federal aid, structures must have a clear span of 20 feet or greater, a sufficiency rating of 80 or less for rehabilitation or less than 50 for replacement, and be either "functionally obsolete" or "structurally deficient". These definitions are part of the federal requirements. In general, "functionally obsolete" means that the width,

vertical clearance, or load rating of the bridge does not meet modern standards. "Structurally deficient" means that a major element of the bridge (deck, abutments, or girders) is seriously deteriorated or damaged.

Bridges must be included on the federal list of eligible bridges at the time of design or construction and not have been constructed or reconstructed within the last ten years regardless of the funding source. Also, structures must be eligible for replacement or rehabilitation at the time of application. Local bridges that are not yet included in the federal bridge inventory will be considered for bridge funding if they are included in the state bridge inventory, are "functionally obsolete" or "structurally deficient", meet the sufficiency rating criteria, and have not been constructed or reconstructed in the last ten years regardless of the funding source. If approved in the statewide ranking system and analysis process, state funds will be used for these projects since federal funds require the structure be on the federal bridge inventory at the time of authorization.

When developing proposed Local Bridge projects, the needs of pedestrians and bicyclists should be considered if a bikeway was previously designated as part of a regional or local bicycle and pedestrian system or when local demands indicate a need. In general, bicycle and pedestrian accommodations can be funded through the program if they are constructed at the same time the motor vehicle lanes are replaced or rehabilitated.

TRANS 213 also allows rehabilitation projects to occur on bridges with sufficiency ratings of 80 or less if certain conditions are met. An engineering study must be undertaken independently by the local agency (i.e. using local dollars) that shows the rehabilitation would:

1. Be cost effective;
2. Extend the life of the bridge by at least 10 years; and,
3. Correct the deficiencies that caused the sufficiency rating to be less than 80.

Projects cannot be submitted for rehabilitation with a SR greater than 80. The federal requirements of functionally obsolete and structurally deficient will determine an eligible project, not its ability to return the SR back over 80.

### **STP-Rural**

Estimated new funds available for the STP-Rural Program through 2012 are \$29,375,120. STP-Rural projects are funded 80 percent federal and 20 percent local. Wisconsin uses an "entitlement" formula to distribute STP-Rural funding that is based 60 percent on rural centerline mileage and 40 percent on rural registration.

Rural minor collectors will not be eligible for federal funding in the 2009-2012 program cycle. Federal SAFTEA-LU legislation did not continue the special rule under Section 1108(f) of TEA-21 that permitted federal funding for rural minor collectors at state discretion.

County highway commissioners will continue to set priorities for STP-Rural funding within their county. BTLR will continue to use the statewide formula ranking process to complete the statewide analysis described in the PMM, Chapter 2-01-05, to determine the approved statewide 2009-2012 STP-Rural Program.

STP-Rural funds may only be spent outside urban boundaries. The current formula generates funding priority based on factors completely outside of urban and urbanized areas. In Wisconsin it is not appropriate to allow counties to propose the funding of projects within those boundaries. It is a regional responsibility to ensure no projects are submitted for STP-Rural funding that are located within urban boundaries.

### **STP-Urban**

Estimated new funds available for the STP-Urban Program through 2012 are \$94,497,580. STP-Urban projects are funded 80 percent federal, and 20 percent local, except within an urbanized area. Within urbanized areas the MPO's are responsible for the approval of projects at a reasonable limit, not to exceed 80 percent federal.

Federal law allocates STP-Urban funding using population as a basis for funding distribution. Urbanized and urban area designations are federally determined by population density. State borders are irrelevant in this initial designation. Funding for these multi-state entities are provided to each state based on its share of the urban or urbanized area population.

Total STP-Urban Program funding will remain at 2007-2009 levels. A comparison of 1990 and 2000 Census data shows only minor shifts in Wisconsin's urban/rural population. The analysis reaffirms the use of the existing funding base for the Urban/Rural, Transportation Management Area (TMA), and Non-TMA allocations.

All 16 urbanized areas receive an annual allocation based on their population. As TMA's (over 200,000 population), the Milwaukee, Madison, and Round Lake Beach urbanized areas are federally permitted to carry over funds from one program cycle to another.

Annual allocations for the remaining 13 urbanized areas (50,000-200,000 population) are to be spent within the program cycle they are approved. All urbanized areas select projects in cooperation with their respective Metropolitan Planning Organization (MPO).

All 16 of the urbanized areas must stay within their allocation of funds; allocations cannot be adjusted upward. Project growth will need to be monitored by Regional staff, the MPO, and communities within the Region through cooperative agreements within the urbanized area. Responsible choices based on mutual decision-making and consultation with WisDOT will enhance the ability of the MPOs to manage their

allocation and reduce the need for state intervention. MPO projects will be capped and specific instructions for project changes will be provided at program approval.

### **Urban Areas**

For urban areas, annual funding for each of the two categories (5,000 to 20,000 and 20,000 to 50,000 in population) also continues to be allocated by population (2000 Census). Wisconsin uses an "entitlement" formula to distribute funds to communities in urban areas based on eligible centerline mileage.

### **Schedule for Program Approvals**

The STP-Urban program is developed and approved first. This will provide the MPOs as much time as possible to prepare their Transportation Improvement Programs (TIPs).

#### **Schedule 2009-2012 Local Improvement Programs**

<b>Program</b>	<b>Project Requests due to Regions (Date varies by Region)</b>	<b>Approved Programs Sent to Regions</b>	<b>Approved Program Published</b>
STP-Urban	April – May	Friday, July 6 <sup>th</sup>	Friday, July 27 <sup>th</sup>
STP-Rural	May – June	Friday, August 3 <sup>rd</sup>	Friday, August 24 <sup>th</sup>
Local Bridge	May – June	Friday, August 17 <sup>th</sup>	Friday, September 7 <sup>th</sup>

Because the Urban, Rural, and Local Bridge Improvement Programs involve close liaison and cooperation with local units of government, guidelines for the cyclical development of these programs will continue to be published on WisDOT's [Programs for Local Government](#) website for convenient access by local officials and staff.

The Approved Project List for each program will be available for consultants and the general public on WisDOT's website 15 business days following the publication of the Approved Projects List, using the above "Approved Program" dates. The Approved Project List for consultants and the general public will not include approved funding levels.

Any questions or comments regarding these Guidelines should be directed to Will Kline at (608) 267-4459, [william.kline@dot.state.wi.us](mailto:william.kline@dot.state.wi.us).